

# **BOARD LEGAL OPINION/ASSIGNMENT REQUESTS<sup>1</sup>**

<b>PRIORITY</b>	<b>SUBJECT</b>	<b>DATE OF ASSIGNMENT</b>	<b>ATTORNEY</b>	<b>STATUS</b>
1	Evaluate Enron litigation, both potential and actual.	November, 2001	Mixon/Castaños	Staff will continue to provide updates to the Investment Committee on a quarterly basis.
1	Full Board Hearing Procedures	April, 2005	Mixon	Staff will present this item at the September 20, 2005 BPAC meeting.
1	Medicare Part D	June, 2005	Mixon/Astleford	Opinion will be provided by September 15, 2005.
2	Quarterly update on securities litigation.	August, 2003	Mixon/Castaños	Updates are provided quarterly.
2	Staff Ad Hoc Board Governance Committee	May, 2005	Mixon	First meeting was held on July 28, 2005. Third meeting is scheduled for September 19, 2005.
3	Pursue adoption of Board Resolutions BD-98-01 and -02, and May 1998 implementing procedures ("Prohibitions") through the Administrative Procedure Act.	September, 1998; February, 1999; October, 1999	Mixon	After the Policies and Procedures were noticed as proposed regulations (Oct. 1998), the Board asked for further legal review and fact-finding. This was completed and presented to the Board in October 1999. At that time, the Board determined to place this project "on hold," pending the outcome of the Securities and Exchange Commission's parallel rulemaking. The SEC's

<sup>1</sup> This matrix only includes requests by the Board or its committees.

CalPERS Legal Office  
Board Assignment Tracking  
September 21, 2005

PRIORITY	SUBJECT	DATE OF ASSIGNMENT	ATTORNEY	STATUS
				rulemaking was suspended on January 26, 2001, due to the departure of Chairman Levitt and anticipated appointments to the SEC.
3	Review legal issues related to potential assumption of pharmaceutical manufacture and distribution.	March, 2000	McConnell	This opinion will be prepared in conjunction with Health staff review of this potential business issue (which is not currently scheduled).
3	Provide legal opinion on CalPERS' options related to requiring HMOs to provide service and accept new enrollees in areas that the HMO wishes to withdraw from.	September, 2001	Mixon	This opinion has been delayed due to competing legal workload with regard to the Health program.
CLOSED ASSIGNMENTS				
2	Closed Session Report	August, 2005	Mixon/Greer	Opinion provided on September 9, 2005.